



Department of Defense
DIRECTIVE

AD-A270 262



July 31, 1992
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USD(A)

SUBJECT: Implementation of, and Compliance With, Arms Control Agreements

- References:
- (a) DoD Directive 5100.70, "Implementation of SAL Agreements," January 9, 1973 (hereby canceled)
 - (b) DoD Instruction S-5100.72, "Procedures for the Implementation of Strategic Arms Limitation (SAL) Agreements and Measures Agreements (U)," May 31, 1977 (hereby canceled)
 - (c) DoD Directive 5111.1, "Under Secretary of Defense for Policy," July 27, 1989
 - (d) Title 10, United States Code

A. PURPOSE

This Directive:

1. Replaces references (a) and (b).
2. Updates policy and responsibilities for DoD implementation of, and compliance with, arms control agreements to which the United States is a party.

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Unified and Specified Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

C. POLICY

It is DoD policy that all DoD activities shall be fully compliant with arms control agreements of the U.S. Government.

D. RESPONSIBILITIES

1. The Under Secretary of Defense (Acquisition) shall:
 - a. Oversee implementation planning and execution throughout the Department of Defense to ensure that all DoD

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activities fully comply with arms control treaties and associated international agreements.

b. Provide, as requested by the Under Secretary of Defense for Policy (USD(P)), technical experts to support the OSD representatives to negotiating groups, other international meetings, and inter-Agency meetings associated with arms control implementation and compliance matters.

c. Monitor compliance of all DoD activities with arms control treaties and associated international agreements.

d. Establish arms control agreement implementation working groups (IWG), as necessary, to monitor and coordinate DoD arms control agreement implementation issues.

e. Appoint a cognizant director as the Chair of the IWG for each arms control agreement. Implementation issues include, for example, operational, administrative, financial, and logistical matters, in the purview of the Department of Defense, that are necessary to implement the prospective arms control agreement regimes.

f. Establish arms control agreement compliance review groups (CRG), as necessary, to monitor and coordinate guidance on issues arising from questions of the compliance of planned or on-going DoD activities.

g. Appoint a cognizant director as the Chair of the CRG for each arms control agreement. Compliance issues include, for example, formulating guidance to ensure that DoD activities comply with arms control agreement provisions; determining the applicability of arms control agreements to DoD activities (including activities associated with weapon systems and supporting command, control, communications, and intelligence systems acquisition, testing, and operations; and operational implementation of on-site inspection, escort, and related activities). For specific DoD activities, the CRG Chair shall recommend arms control agreement compliance certification, with coordinated rationale, to the Under Secretary of Defense (Acquisition) (USD(A)).

h. Provide general guidance, coordinated through the cognizant CRG(s) and/or IWG(s), that enables prompt execution of Secretary of Defense decisions on DoD arms control implementation and compliance issues.

i. Develop, through the CRG(s) and/or IWG(s), specific guidelines for DoD compliance with arms control agreements and

certify, as necessary, that specific activities are in compliance with arms control agreements.

j. Conduct or direct reviews of DoD activities, as necessary, to determine if there are issues that should be brought before a CRG to ensure compliance.

k. Provide direction and oversight for the conduct of research and development to support DoD arms control agreement implementation and compliance.

l. In coordination with the USD(P), the Comptroller of the Department of Defense (C, DoD), the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)), and the Assistant Secretary of Defense (Program Analysis and Evaluation) ensure that the DoD Components plan, program, budget, and allocate resources, including manpower, necessary for arms control agreement implementation and compliance.

2. The General Counsel of the Department of Defense has responsibility, within the Department of Defense, for legal interpretation of arms control agreements and shall provide advice and assistance on the arms control agreement implementation and compliance review programs and the interpretation of arms control agreements. A representative of the General Counsel of the Department of Defense shall be a member of each IWG and CRG.

3. The Under Secretary of Defense for Policy shall:

a. Pursuant to DoD Directive 5111.1 (reference (c)), represent the Secretary of Defense on arms control matters involving the National Security Council (NSC), the Department of State, and other Departments, Agencies, and inter-Agency groups.

b. Develop and coordinate DoD policies and positions for international negotiations on arms control implementation and/or compliance issues.

c. Represent the Department of Defense with coordinated DoD views in negotiations, meetings, and other interactions with representatives of foreign governments, including military and civilian personnel, on issues about DoD implementation of and compliance with arms control agreements.

d. Provide a representative as a member of each IWG and CRG.

e. Develop policy guidance under the legal interpretation of arms control treaties and associated international agreements.

f. Provide advice and assistance for implementation of, and compliance with, arms control agreements.

g. Serve as a key participant in the DoD planning, programing, and budgeting system process on resource allocation for implementation of, and compliance with, arms control agreements.

h. Provide advice, as appropriate, to the Secretary and the Deputy Secretary of Defense that results from Arms Control Coordinating Committee deliberations.

i. Identify and/or address, in consultation with the CRGs as appropriate, issues that require resolution to foreclose or respond to questions of U.S. compliance raised by signatories of arms control agreements to which the United States is a party.

4. The Assistant Secretary of Defense (Program Analysis and Evaluation) shall:

a. In coordination with the USD(A), the C, DoD, and the ASD(FM&P) ensure that DoD Components program resources, including manpower, for arms control implementation and compliance.

b. Provide a representative as a member of each IWG.

c. Provide, on request, a representative to meetings of each CRG.

5. The Heads of the DoD Components shall:

a. Ensure the compliance of their respective Component with arms control agreements according to general procedures and guidance issued by the USD(A).

b. Provide advice and assistance, on request, about the impact of the interpretation of arms control provisions on their respective Component.

c. Provide advice and assistance, on request, for their respective Component, about implementation of, and compliance with, arms control agreements.

d. Establish, as required, detailed procedures applicable in their respective jurisdictions for implementation of, and compliance with, arms control agreements.

e. Designate, as required, an implementation and compliance review manager for each arms control agreement and negotiation and so advise, in writing, the USD(A).

f. Provide, as required, periodic reports advising the USD(A) of the arms control compliance status of activities under the purview of the Component.

g. Seek clearance from the USD(A), through the appropriate CRG, before taking an action that reasonably raises an issue of DoD compliance with an arms control agreement. When there is doubt whether clearance is necessary, clearance shall be sought.

6. The Chairman of the Joint Chiefs of Staff shall:

a. Provide military advice on arms control implementation and compliance issues.

b. Coordinate, as provided in the procedures approved under subparagraph 6.d below, activities including communications to and from the Unified and Specified Commands, for implementation of, and compliance with, all arms control agreements.

c. Provide advice and assistance for DoD implementation of, and compliance with, arms control agreements.

d. Coordinate the development of detailed procedures applicable within the Unified and Specified Commands when approved by the Secretary of Defense for the Commands' implementation of, and compliance with, arms control agreements.

e. Provide a representative of the Chairman of the Joint Chiefs of Staff as a member of each IWG and CRG.

E. INFORMATION REQUIREMENTS

The reporting requirements in paragraphs D.5.f. and D.6.f., above, have been assigned the Report Control Symbol DD-ACQ(AR) 1229.

F. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Under Secretary of Defense (Acquisition) within 120 days.



Donald J. Atwood
Deputy Secretary of Defense